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Attorney for Secured Creditor,
Virage SPV 1, LLC

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

Girardi Keese,

Debtor.

Case No.: 2:20-bk-21022 BR

Chapter 7

**OPPOSITION AND REQUEST FOR
HEARING RE TRUSTEE'S APPLICATION
TO EMPLOY SPECIAL LITIGATION
COUNSEL [ECF # 1018]**

Date: To Be Set
Time: To Be Set
Place: Crtrm 1668; Judge Russell

Virage SPV 1, LLC ("Virage") a secured creditor of Girardi Keese ("Debtor") herein opposes and requests a hearing on the Chapter 7 Trustee's Application to Expand Scope of Services of Special Litigation Counsel Larry W. Gabriel, The Law Offices of Jenkins, Mulligan & Gabriel, LLP [ECF # 1018] ("Application") filed by Elissa D. Miller, Chapter 7 Trustee ("Trustee"). Virage's opposition is as follows:

1. Virage joins in and incorporates by reference the objections to the Application filed by California Attorney Lending II, Inc. [ECF # 1032], Stillwell Madison, LLC [ECF # 1033] and Abir Cohen Treyzon Salo, LLP ("ACTS") et al. [ECF # 1036] (collectively "Objections"). In the interests of conserving the Court's resources, Virage does not restate those arguments herein, however, Virage adopts the arguments against approval of the Application as contained in the Objections for the purpose of this matter only.

2. In addition, Virage believes that approval of the Application is not an exercise of the Trustee's sound business judgment *at this time*. Attached hereto as Exhibit 1 is the Trustee's November 23, 2021 motion to authorize use of cash collateral [ECF # 878] ("Cash Collateral Motion"), without exhibits thereto. The Trustee's Cash Collateral Motion states:

The Trustee continues to position the Estate to receive significant value in the future through case transitions, motions and stipulations regarding the Debtor's attorneys' fees and costs in its contingency cases. Just one example of the Estate benefiting from the use of cash is the transition and assignment of the Estate's interests in the Southern California Gas Leak Litigation, which the Court approved early in the case. This case has recently settled with the plaintiffs (roughly 23% of whom the Debtor jointly represented) to receive a \$1.8 billion settlement, which will ultimately result in the Estate receiving significant attorneys' fees plus cost reimbursements. On the docket are dozens of other stipulations to transition cases and preserve fees.

Exhibit 1 at internal pages 2-3.

3. The Trustee's Cash Collateral Motion confirms that the estate has a substantial interest in the Southern California Gas Leak Litigation settlement for \$1.8 billion and many more case transition agreements. Thus, it is fair to project that the estate may ultimately realize hundreds of millions of dollars in case proceeds from all the estate's interests in client cases.

4. On the other side of the estate's balance sheet is the potential total of claims in the estate. The claims bar date expired on January 21, 2022. *See* ECF # 795. Per the current claims register, the raw face amount of all claims in the estate totals \$253 million, of which \$95 million is a claim by ACTS and multiple \$11.7 million claims filed by the Ruigomez creditors that appear to be duplicates. Based on a very rough view of the claims, it is not unreasonable to assume that claims may total less than \$200 million, if not less than \$150 million.

5. Based on the foregoing approximation of assets and liabilities of the estate, it is within the range of potential outcomes that the *estate may be solvent*. Virage recognizes that the foregoing is a very rough analysis of the estate's financial condition and that the Trustee is likely in a significantly better position to estimate whether the estate may ultimately be solvent based on the numerous transition agreements that the Trustee has entered into and may yet enter into to realize proceeds from estate's interests in client cases.

1 6. If there is any reasonable prospect that the estate may be solvent, then a serious
2 question arises as to whether it is within the Trustee's sound business judgment to employ special
3 litigation counsel on the terms set forth in the Application at this time. The Application heavily
4 incentivizes developing claims against the "Litigation Lenders" by first paying for an
5 "investigation" on an hourly basis and then shifting to contingency fee litigation against the
6 Litigation Lenders. Contingency fee litigation, however, is not cost-free to the estate. Absent an
7 affirmative recovery on any litigation claims, the estate will be burdened with a substantial
8 increase in the secured claim balances because the Litigation Lenders are all accruing substantial
9 interest expense under their financing agreements until paid and all have fee shifting clauses in
10 their financing agreements. Thus, the Trustee's decision to investigate and potentially litigate with
11 the Litigation Lenders versus promptly pay those claims has a serious economic impact on the
12 estate and all junior creditors.

13 7. While the financial condition of the estate may ultimately support the Trustee
14 litigating with the Litigation Lenders (to the extent of any claims that are at this point
15 unidentified), that business judgment determination cannot be made on the record before the
16 Court. It is putting the cart before the horse for the Trustee to hire special litigation counsel on the
17 terms set forth in the Application to investigate and then likely litigate with the estate's Litigation
18 Lenders, before the Trustee knows whether the estate may well be solvent. This is especially true
19 when the Trustee already has several competent professionals already employed that can perform
20 the proposed investigation as detailed in the Objections.

21 8. For all these reasons, Virage respectfully requests that the Court deny the
22 Application without prejudice at this time.

23 *Wherefore*, Virage opposes the Application and requests a hearing thereon.

24 Dated: March 1, 2022

Lewis R. Landau
Attorney at Law

25
26 By: /s/ Lewis R. Landau
27 Lewis R. Landau
28 Attorney for Virage SPV 1, LLC

EXHIBIT 1

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Trustee
8

9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **LOS ANGELES DIVISION**

12 In re
13 GIRARDI KEESE,

14 Debtor.

Case No. 2:20-bk-21022-BR

Chapter 7

**CHAPTER 7 TRUSTEE'S FIFTH MOTION
FOR ORDER AUTHORIZING USE OF
CASH COLLATERAL PURSUANT TO 11
U.S.C. § 363 AND FEDERAL RULE OF
BANKRUPTCY PROCEDURE 4001(b);
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATIONS OF
ELISSA D. MILLER AND PHILIP E.
STROK IN SUPPORT**

Date: December 14, 2021
Time: 2:00 p.m.
Ctrm.: 1668
255 E. Temple Street
Los Angeles, California 90012

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1 **TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY JUDGE:**

2 Elissa D. Miller, the chapter 7 trustee (the "Trustee") for the bankruptcy estate of
3 Girardi Keese (the "Estate"), submits this *Chapter 7 Trustee's Fifth Motion for Order*
4 *Authorizing Use of Cash Collateral Pursuant to 11 U.S.C. § 363 and Federal Rule of*
5 *Bankruptcy Procedure 4001(b)* (the "Motion"). In support of the Motion, the Trustee
6 submits the following memorandum of points and authorities and the attached
7 declarations of Elissa D. Miller and Philip E. Strok.

8
9 **I. INTRODUCTION**

10 By the time the Trustee was appointed, Girardi Keese's (the "Debtor") operations
11 were at a standstill. The Debtor held minimal cash, nearly all employees had either left or
12 resigned, and the Debtor lacked the resources and personpower to realize the value of its
13 attorneys' fees and costs in its contingency cases—its primary assets. Since her
14 appointment nearly a year ago, the Trustee and her team have been working to protect
15 the interests of the Debtors' clients, while also working to preserve and maximize the
16 value of the Estate's interests. In order to maximize the Estate's assets, the Trustee has
17 worked to and continues in her efforts to transition the Debtor's remaining cases to
18 qualified counsel. Where clients have elected to retain new counsel, the Trustee has
19 transferred physical and electronic case files while also taking all appropriate measures
20 to preserve, protect, and collect on the Estate's rights to fees and costs in each of those
21 cases. The Trustee's work is ongoing and requires that she have uninterrupted access to
22 the Debtor's case files (electronic and paper), cost ledgers, and other necessary
23 information.

24 The Trustee continues to position the Estate to receive significant value in the
25 future through case transitions, motions and stipulations regarding the Debtor's attorneys'
26 fees and costs in its contingency cases. Just one example of the Estate benefiting from
27 the use of cash is the transition and assignment of the Estate's interests in the Southern
28 California Gas Leak Litigation, which the Court approved early in the case. This case has

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1 recently settled with the plaintiffs (roughly 23% of whom the Debtor jointly represented) to
2 receive a \$1.8 billion settlement, which will ultimately result in the Estate receiving
3 significant attorneys' fees plus cost reimbursements. On the docket are dozens of other
4 stipulations to transition cases and preserve fees. These results would not have been
5 possible if the Trustee lacked access to cash collateral to identify and transition the files
6 and to take such other actions as she deems appropriate to monetize the Estate.

7 By the Motion, the Trustee seeks authority use cash collateral in accordance with
8 the updated Six Month Budget (the "Budget") attached hereto as Exhibit "1" which covers
9 the period from January 1, 2022 through June 30, 2022 (the "Cash Collateral Period").
10 The Budget allows only for necessary costs, with expenditures not to exceed 115% of the
11 aggregate "High" expenditures set forth in the Budget, i.e., a 15% variance. As adequate
12 protection for the Trustee's use of cash collateral, California Attorney Lending II, Inc.
13 ("CAL II"), Stillwell Madison, LLC ("Stillwell"), Virage SPV 1, LLC ("Virage"), Nano Banc
14 ("Nano"), Joseph Ruigomez, Jamie Ruigomez, and Kathleen Ruigomez (collectively, the
15 "Ruigomez Creditors"), and KCC Class Action Services, LLC ("KCC") will receive
16 replacement liens with the same validity, priority, scope, or extent against the Debtor's
17 assets as of the petition date, and solely to the extent that the use of cash collateral
18 results in diminution in value and other protections as set forth in this Motion. In short, all
19 parties alleging secured claims will be adequately protected.

20 The use of cash collateral is critical for the Estate. If the Trustee lacks access to
21 cash collateral, she will be unable to transition the Debtor's cases to other law firms to
22 maximize the Estate's value while protecting the clients. Further, if the Trustee's access
23 to the Debtor's case files, cost ledgers and other important information is interrupted, the
24 Trustee will be highly burdened in recovering fees and costs and may even be unable to
25 establish quantum meruit claims in its cases where the Debtor was terminated and/or
26 replaced. Put simply, the Trustee's efforts to preserve and enhance the Estate are
27 funded by cash collateral, and it is this work to increase value that provides the secured
28

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creditors with adequate protection. It is crucial that the Trustee's progress in preserving and enhancing the Estate not be cut short.

Authority to use cash collateral is also crucial to avoid liability to the Estate. To avoid liability, the Trustee must be able to pay the expense of providing the case files to clients when they request their files, which has started to occur with more frequency. The files cannot just be delivered. As detailed in the operating motion filed concurrently herewith, there was no central filing system and files are located on different systems; sometimes electronic, sometimes paper and sometimes both. In addition, for many of the cases (mass tort and other multi-client cases), the Trustee cannot just hand over the entire file to the client, as it may contain information for multiple clients.

Supporting the Trustee and her professionals with information from the files and the accounting system as well as dealing with the file transitions, either to other counsel or returning files to the clients, requires funds.

For these reasons, the Court should authorize the Trustee to use cash collateral in accordance with the Budget through the end of the Cash Collateral Period – June 30, 2022.

II. FACTUAL BACKGROUND

A. The Debtor's Involuntary Bankruptcy Case

The Debtor was a plaintiff's law firm based in Los Angeles, California. On December 18, 2020, petitioning creditors Jill O'Callahan, as successor in interest to James O'Callahan, Robert M. Keese, John Abassian, Erika Saldana, Virginia Antonio, and Kimberly Archie (collectively, the "Petitioning Creditors") filed an involuntary chapter 7 bankruptcy petition against the Debtor.¹ Prior to the involuntary petition, the Debtor practiced in the areas of personal injury, defective products, sexual abuse, toxic torts, business law, employment law, and aviation law.

¹ The Petitioning Creditors also filed an involuntary chapter 7 bankruptcy petition against Thomas V. Girardi, which is currently pending as Bankruptcy Case No. 2:20-bk-21020-BR.

On December 24, 2020, the Petitioning Creditors filed a *Motion for Appointment of Interim Trustee Pursuant to 11 U.S.C. § 303(g)* [Docket No. 12]. The Court entered an order granting the motion on January 5, 2021 [Docket No. 45]. On January 6, 2021, the Trustee was appointed as the interim trustee [Docket No. 50].

On January 13, 2021, the Court entered an *Order Directing: (1) The Clerk of Court to Immediately Enter an Order for Relief under Chapter 7; (2) The United States Trustee to Immediately Appoint a Chapter 7 Trustee; (3) The Debtor to File All Schedules and Related Documentation for Chapter 7 Case within Fourteen Days of the Entry of this Order; and (4) Vacating February 16, 2021 Status Conference* [Docket No. 68]. On January 13, 2021, the Clerk of Court entered an order for relief against the Debtor [Docket No. 69], and the Trustee was appointed and accepted her appointment in the Debtor's case [Docket No. 71].

B. The Debtor's Primary Assets

At the time the involuntary petition was filed against the Debtor, the Debtor's affairs were in dire straits. Pre-petition, the Debtor was counsel of record in a significant number of cases which were undertaken on a contingency basis. Unfortunately, prior to the involuntary petition date, nearly all of the Debtor's employees and attorneys had resigned and moved on. These cases were at varying litigation stages, with some cases currently pending and other cases where the client had terminated its relationship with the Debtor. Without staff and attorneys, the Trustee is left with the challenge of establishing the Estate's rights to fees and costs and collecting on such fees and costs from the Debtor's contingency cases. The Debtor's fees and costs in its plethora of cases likely constitute the most significant assets in the Estate. However, protecting and preserving the Debtor's and clients' interests in these cases requires a support team and vendors that need to be paid and the payment of other necessary expenses.

C. State of the Debtor's Offices

For over 20 years, the Debtor operated out of two buildings located in Los Angeles, California. One building is located at 1122 Wilshire Boulevard, Los Angeles,

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1 California ("Building 1"), and the other is located at 1126 Wilshire Boulevard, Los
2 Angeles, California ("Building 2").

3 The Estate continued to occupy both Building 1 and Building 2 post-bankruptcy.
4 Each of the buildings housed attorneys and staff and included storage and other space to
5 support the Debtor's practice. Building 1 has been sold and the Trustee has vacated the
6 premises, disposed of over 7 truckloads of waste, and moved the majority of its
7 remaining contents to Building 2.² The Trustee continues to operate the case from
8 Building 2 where the computer servers and client files are currently located. Building 2 is
9 currently listed for sale and provides only a temporary storage solution for the Trustee.
10 Moreover, the Trustee has concluded an online personal property auction sale that
11 resulted in significant cash plus the removal of most of the Debtor's personal property,
12 leaving the Trustee with primarily client files remaining.

13 The Trustee continues to regularly visit the Debtor's office. As stated in prior
14 pleadings, the Debtor's office was difficult to navigate, disorganized, and holds a large
15 volume of documents. The Debtor's case files and data are generally stored in one or
16 more of three different methods: (1) certain case files are stored in physical, paper files,
17 (2) some mass tort litigation case files are primarily stored in a proprietary electronic
18 system of the Debtor, and (3) other case files and general office files, along with some
19 mass tort litigation case files, are stored electronically in a program called iManage. This
20 is in addition to client cost information located on the Debtor's Sage Accounting System.
21 In order to access this information, the Debtor must continue to pay for internet services
22 for the Debtor, as well as pay for the maintenance of the virtual "cloud" server.
23 Preservation of this electronic information also requires the services of a specialized
24 computer consultant. See Declaration of Elissa D. Miller.

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27 ² The Budget includes additional expenses that will be incurred if Building 2 is sold during the Cash
28 Collateral Period and the Trustee vacates Building 2. Through the Motion, the Trustee is asking for
authority to pay these additional expenses should it become necessary.

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1 The Trustee's attempts to navigate the Debtor's internal systems have been
2 supported by certain of the Debtor's former employees. The Trustee requires their
3 assistance to help navigate the Debtor's electronic and physical storage systems, keep
4 track of the Debtor's pending cases to protect the Estate and clients, and locate
5 additional assets. Physical files as well as electronic information are still located at the
6 Debtor's office and the Trustee requires uninterrupted utilities to access such information.
7 The Trustee also needs assistance from her field agent to quickly locate files and records
8 for both her team and clients of the Debtor that request records. In addition, to protect
9 the Estate from liability while the Debtor's office is being accessed, the Trustee requires
10 insurance. Accordingly, the Trustee has included the estimated costs of utilities and
11 insurance in the Budget. See Declaration of Elissa D. Miller.

12 **D. The Trustee's Prior Cash Collateral Motions**

13 On February 10, 2021, the Trustee filed her first *Motion for Order Approving*
14 *Stipulations for Use of Cash Collateral and Authorizing Use of Cash Collateral Pursuant*
15 *to 11 U.S.C. § 363 and Federal Rule of Bankruptcy Procedure 4001(b)* [Docket No. 179]
16 (the "First Cash Collateral Motion"). The Court held a hearing on the First Cash
17 Collateral Motion on February 16, 2021. On February 16, 2021, the Court entered an
18 order granting the First Cash Collateral Motion on an interim basis. See Docket No. 193.
19 On March 2, 2021, the Court held a final hearing on the First Cash Collateral Motion. On
20 March 11, 2021, the Court entered an order granting the First Cash Collateral Motion on
21 a final basis. See Docket No. 257. Under this order, the Trustee's authority to use cash
22 collateral expired on March 31, 2021. The order also authorized a budget of \$75,400 to
23 \$124,700. For this period, the Trustee remained well within her budget, spending a total
24 of \$85,815.12. See Declaration of Elissa D. Miller.

25 On March 30, 2021, the Trustee filed the *Chapter 7 Trustee's Second Motion for*
26 *Order Approving Stipulations for Use of Cash Collateral and Authorizing Use of Cash*
27 *Collateral Pursuant to 11 U.S.C. § 363 and Federal Rule of Bankruptcy Procedure*
28 *4001(b) and (d)* [Docket No. 287] (the "Second Cash Collateral Motion"). The Court held

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1 a hearing on the Second Cash Collateral Motion on April 6, 2021. On April 14, 2021, the
2 Court entered an order granting the Second Cash Collateral Motion on an interim basis.
3 See Docket No. 307. On April 27, 2021, the Court held a final hearing on the Second
4 Cash Collateral Motion. On May 7, 2021, the Court entered an order granting the
5 Second Cash Collateral Motion on a final basis. See Docket No. 329. Pursuant to this
6 order, the Trustee's authority to use cash collateral expired on June 30, 2021. The order
7 also authorized a budget of \$141,100 to \$226,650. For this period, the Trustee remained
8 below the low end of her budget, spending a total of \$126,072.83. See Declaration of
9 Elissa D. Miller.

10 On June 29, 2021, the Trustee filed the *Chapter 7 Trustee's Third Motion for Order*
11 *Approving Stipulations for Use of Cash Collateral and Authorizing Use of Cash Collateral*
12 *Pursuant to 11 U.S.C. § 363 and Federal Rule of Bankruptcy Procedure 4001(d)* [Docket
13 No. 451] (the "Third Cash Collateral Motion"). The Court held a hearing on the Third
14 Cash Collateral Motion on July 6, 2021. On July 6, 2021, the Court entered an order
15 granting the Third Cash Collateral Motion. See Docket No. 473. Because all parties
16 asserting secured claims consented to the use of cash collateral, the Court entered an
17 order granting the Third Cash Collateral Motion and authorized the use of cash collateral
18 on a final basis. The Trustee's authority to use cash collateral expired on September 30,
19 2021. The Court's order authorized a budget of \$166,000 to \$276,375. For this period,
20 the Trustee remained below the low end of her budget, spending a total of \$116,190.76.
21 See Declaration of Elissa D. Miller.

22 On September 29, 2021, the Trustee filed the *Chapter 7 Trustee's Fourth Motion*
23 *for Order Approving Stipulations for Use of Cash Collateral and Authorizing Use of Cash*
24 *Collateral Pursuant to 11 U.S.C. § 363 and Federal Rule of Bankruptcy Procedure*
25 *4001(b) and (d)* [Docket No. 747] (the "Fourth Cash Collateral Motion"). The Court held a
26 hearing on the Fourth Cash Collateral Motion on October 7, 2021. On October 8, 2021,
27 the Court entered an order granting the Fourth Cash Collateral Motion on an interim
28 basis. See Docket No. 765. On October 26, 2021, the Court held a final hearing on the

1 Fourth Cash Collateral Motion. On October 27, 2021, the Court entered an order
2 granting the Fourth Cash Collateral Motion on a final basis. See Docket No. 796.
3 Pursuant to this order, the Trustee's authority to use cash collateral expires on December
4 31, 2021. The Court's order authorized a budget of \$149,200 to \$246,550. As with the
5 prior cash collateral periods, the Trustee intends to remain within budget for the cash
6 collateral period covered by the Fourth Cash Collateral Motion, having spent \$36,608.00
7 to date. See Declaration of Elissa D. Miller.

8 **E. The Trustee's Efforts to Preserve and Enhance Estate Value**

9 Since the Fourth Cash Collateral Motion, the Trustee has continued to work to
10 preserve value for the Estate, and has taken a number of actions to position the Estate to
11 recover additional value in the future. First, the Trustee has continued discussions with
12 law firms in an effort to transition cases to protect the interests of clients. Second, the
13 Trustee has continued to preserve the Estate's interests in the Debtor's attorneys' fees by
14 filing notices of lien in certain of the Debtor's cases so that the Estate can preserve any
15 quantum meruit claims and negotiating some of the liens. Third, the Trustee has worked
16 to disburse funds to former clients and/or victims of the Debtor. As of April 2021, the
17 Trustee had distributed or caused to be distributed more than \$26 million to the Debtor's
18 clients. See Chapter 7 Status Report, Docket No. 304. Finally, since filing the Debtor's
19 schedules on August 24, 2021 the Trustee has begun her forensic accounting analysis.
20 Currently, the Trustee has filed numerous motions for production of documents under
21 FRBP 2004 from different banking institutions and the Court has granted all of these
22 motions. The Trustee anticipates filing additional motions in the near future.

23 The Trustee continues to diligently work to identify assets of the Debtor and this
24 process is ongoing. Without continuing access to funds, the Trustee is unable to fund a
25 proper investigation of the Debtor's affairs to preserve and maximize the value of the
26 Estate. Accordingly, immediate and continued use of cash collateral is critical to both
27 preservation and enhancement of the Estate, as well as protection of the Debtor's clients.
28

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1 **F. The Estate's Current Cash Position**

2 Since the filing of the First, Second, Third and Fourth Cash Collateral Motions, the
3 Trustee has continued to preserve value for the Estate and has positioned the Estate to
4 recover value in the future. Currently, the Trustee has approximately \$4.6 million in cash
5 on hand. However, to the extent the Estate's funds are encumbered, the Trustee is
6 unable to use them to fund her Court-approved limited operations and expenditures.³
7 Accordingly, continued authority to use cash collateral is critical to preserve and
8 maximize the value of the assets of the Estate. See Declaration of Elissa D. Miller.

9 **G. Alleged Secured Creditors**

10 On April 9, 2021, the Trustee filed a *Motion for Order Setting Bar Date for Filing*
11 *Secured Proofs of Claim and Approving Form of Notice of Bar Date* [Docket No. 300] (the
12 "Secured Claims Bar Date Motion"). On April 13, 2021, the Court entered an order
13 approving the Secured Claims Bar Date Motion [Docket No. 302], approving the form of
14 notice of the secured claims bar date, and setting the bar date for filing secured claims to
15 June 23, 2021 (the "Secured Claims Bar Date"). On April 21, 2021, the Trustee filed and
16 served her *Notice of Bar Date for Secured Creditors to File Proofs of Claim* [Docket No.
17 315]. The following table summarizes the claims of parties that allege to hold secured
18 claims against the Estate and an interest in cash collateral as of the Secured Claims Bar
19 Date:

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24 ³ The Court has entered orders authorizing the Trustee to operate the business of the Debtor on a
25 limited basis, as well as retain certain employees of the Debtor, among other relief. The Trustee's authority
26 to operate the business of the Debtor was set to expire on July 13, 2021. On June 18, 2021, the Trustee
27 filed a Motion for Order Authorizing Chapter 7 Trustee to: (A) Operate the Business of the Debtor on a
28 Limited Basis Pursuant to 11 U.S.C. § 721; and (B) Maintain Current Status of Any Newly Discovered Trust
Accounts [Docket No. 410]. On July 8, 2021, the Court entered an order authorizing the Trustee to operate
the business of the Debtor on a limited basis until January 13, 2022. See Docket No. 484. The Trustee will
be filing concurrently with this Motion a further motion for order authorizing the Trustee to operate the
business of the Debtor on a limited basis through June 30, 2022.

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Order of Recordation	Alleged Lienholder	Amounted Listed in Proof of Claim
First	California Attorney Lending II	\$6,508,361.55 ⁴ (Claim 71)
Second	Stillwell Madison, LLC	\$7,456,773.04 (Claim 75)
Third	Virage SPV 1, LLC	\$11,302,622.87 (Claim 77)
Fourth	Nano Banc	\$4,281,638.89 (Claim 70)
Fifth	Joseph, Jaime, & Kathleen Ruigomez	\$11,747,245.95 ⁵ (Claim 23)
Sixth	KCC Class Action Services, LLC	\$7,888,356.16 (Claim 73)

After the Second Cash Collateral Motion, the Trustee and CAL II entered into a compromise concerning CAL II's secured claim. On May 11, 2021, the Trustee filed a *Motion for Order Approving Compromise with California Attorney Lending II, Inc. Pursuant to Federal Rule of Bankruptcy Procedure 9019* (the "CAL II Compromise Motion") [Docket No. 336]. On June 9, 2021, the Court entered an order granting the CAL II Compromise Motion. Under the Trustee's compromise with CAL II, CAL II agreed to a single, reduced allowed claim of \$6,508,361.55 as of the petition date with a first

⁴ CAL II filed Claim 71 in the amount of \$6,668,484.21. However, as detailed later, per its Court-approved compromise with the Trustee, CAL II has agreed to reduce its claim to \$6,508,361.55. Under the compromise with CAL II, CAL II has reserved its right to seek post-petition interest at the California judgment rate of 10% and reasonable fees, costs or charges under 11 U.S.C. § 506(b). The Trustee has reserved all rights to oppose any such requests.

⁵ The Trustee is informed and believes that the Thomas Girardi Trustee recently paid down the Ruigomez Creditors' claim by approximately \$600,000 from the proceeds of the La Quinta Property sale.

1 priority perfected security interest in substantially all of the Debtor's personal property
2 assets.

3 On June 24, 2021, the Trustee issued two checks to CAL II pursuant to the Court
4 approved compromise. The first check issued to CAL II was in the amount of
5 \$2,093,235.90, and the second check was in the amount of \$2,012,500.00. In sum, the
6 Trustee has disbursed a total of \$4,105,735.90 to CAL II. See Declaration of Elissa D.
7 Miller. Further, Jason Rund, the chapter 7 trustee for the bankruptcy estate of Thomas
8 Girardi's individual case, has also disbursed approximately \$725,000.00 to CAL II. See
9 Declaration of Philip E. Strok. Accordingly, between the two estates, CAL II has received
10 approximately \$4,830,735.90, or around 74% of its claim, in less than twelve months after
11 the Court entered the order for relief.

12
13 **III. MEMORANDUM OF POINTS AND AUTHORITIES**

14 **A. The Trustee's Proposed Use of Cash Collateral**

15 The Trustee's current authorization to use cash collateral expires on December 31,
16 2021. The Trustee's need for use of cash collateral remains crucial and ongoing.
17 Consistent with the terms for cash collateral use under the First, Second, Third and
18 Fourth Cash Collateral Motions, the Trustee's proposes to use cash collateral for the
19 Cash Collateral Period on the following terms:

20 (1) The Trustee is authorized to use cash collateral in accordance with the
21 Budget for the Cash Collateral Period. The Trustee's expenditures will not exceed 115%
22 of the aggregate "High" expenditures in the Budget (i.e. a 15% variance). The Trustee
23 has utilized names for positions in the Budget but may utilize different people or
24 companies other than the ones indicated should any of her current team become
25 unavailable. For economy, the Trustee may increase the hourly rate of one or more
26 service providers included in the Budget and eliminate the use of others. However, in no
27 event will the Trustee exceed the authorization as set forth in this Motion;

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(2) As adequate protection for use of their cash collateral, CAL II, Stillwell, Virage, Nano, the Ruigomez Creditors, and KCC will receive a postpetition replacement lien for its asserted secured claim against the Debtor's assets with the same validity, priority, scope and extent as any lien(s) held by the alleged secured creditor as of the involuntary petition date solely to the extent that the use of cash collateral results in the diminution of the alleged secured creditor's prepetition lien;

(3) CAL II, Stillwell, Virage, Nano, the Ruigomez Creditors, and KCC are not required to file any financing statement, notice, lien or other similar instrument in any jurisdiction, or take any other action to perfect its replacement lien, and the replacement lien is automatically perfected upon approval of the Motion;

(4) The replacement lien shall not encumber or otherwise attach to any causes of action under chapter 5 of the Bankruptcy Code or any proceeds of such causes of action;

(5) Except to the extent already agreed to with CAL II, all rights and arguments of the Trustee, on behalf of the Estate, to challenge or dispute the validity, priority, scope or extent of the security interests asserted by any alleged secured creditor, including without limitation, in the Debtor's postpetition receipts and cash, or that the use of cash collateral has resulted in the diminution of the value of the alleged secured creditor's prepetition liens, are preserved.

(6) Neither the Trustee nor the Estate are waiving any rights under 11 U.S.C. § 506(c) ;

(7) Upon reasonable request and subject to appropriate confidentiality provisions, the Trustee will provide her Form 2 Cash Receipts and Disbursements Record; and

(8) The Trustee is authorized to use cash collateral until June 30, 2022 unless further extended with or without the alleged secured creditor's consent subject to Bankruptcy Court order; and

(9) The Trustee reserves the right to seek an order from the Bankruptcy Court extending the Stipulations and/or authorizing the Trustee's further use of cash collateral.

Attached hereto as Exhibit "2" is the Trustee's *Statement Regarding Cash Collateral or Debtor in Possession Financing* [FRBP 4001; LBR 4001-2]. Attached hereto as Exhibit "3" is the Trustee's proposed order granting this Motion.

B. The Court Should Authorize the Use of Cash Collateral Because the Alleged Secured Creditors are Adequately Protected

A bankruptcy court may authorize a trustee's use of cash collateral without the consent of a secured creditor provided the secured creditor's interest in such cash collateral is adequately protected. See 11 U.S.C. §§ 363(c), (e). "However, the protection afforded to secured creditors is not absolute." *Sec. Leasing Partners, LP v. ProAlert, LLC (In re ProAlert, LLC)*, 314 B.R. 436, 441 (B.A.P. 9th Cir. 2004). Rather, as articulated by the United States Supreme Court, a secured creditor is entitled to adequate protection only from the decline in value of its collateral package post-petition. See *United Sav. Ass'n of Texas v. Timbers of Inwood Forest Assoc., Ltd.*, 484 U.S. 365, 370 (1988).

Multiple courts have authorized the use of cash collateral to either enhance or preserve the value of a debtor's estate. See *Stein v. U.S. Farmers Home Admin. (In re Stein)*, 19 B.R. 458, 460 (Bankr. E.D. Pa. 1982) (finding that the use of cash collateral was necessary to operate the debtor's business in turn enhancing the debtor's estate); *Fed. Nat'l Mortg. Ass'n v. Dacon Bolingbrook Assoc. L.P.*, 153 B.R. 204, 214 (N.D. Ill. 1993) (finding that "the required adequate protection of Rents is satisfied to the extent the Debtor reinvests the Rents in the operation and maintenance of the property because the value of the secured creditor's interest in its collateral will thereby be increased."); *In re Constable Plaza Assoc.*, 125 B.R. 98, 105 (Bankr. S.D.N.Y. 1991) (finding adequate protection is present in part because rent would be used for maintaining office building, which would "preserve or enhance the value of the building" and "protect the collateral...").

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1 A sufficient equity cushion may serve as adequate protection. See *Pistole v.*
2 *Mellor (In re Mellor)*, 734 F.2d 1396, 1400 (9th Cir. 1984) ("[T]he existence of an equity
3 cushion...is the classic form of protection for a secured debt justifying the restraint of lien
4 enforcement by the bankruptcy court."). The Ninth Circuit has recognized that "[a] 20%
5 cushion has been held to be an adequate protection for a secured creditor." See *id.* at
6 1402 (holding that a 20% equity cushion is adequate protection in the context of a motion
7 for relief from stay). "[A]dequate protection under § 363 should be treated the same as
8 under § 362." See *McCombs Prop. VI, Ltd. v. First Texas Sav. Ass'n (In re McCombs*
9 *Properties VI, Ltd.)*, 88 B.R. 261, 266 (Bankr. C.D. Cal. 1988). There is "no reason for
10 treating an equity cushion differently when reviewing adequate protection under § 363."
11 *Id.*

12 The Trustee's use of cash collateral will preserve and enhance value of the Estate,
13 providing the secured creditors with adequate protection. The Estate's primary assets
14 are the Debtor's interests in its attorneys' fees and costs from its contingency cases. In
15 order to preserve the value of these assets, the Trustee has continued to negotiate with
16 different law firms to represent the Debtor's clients, with the goal of transferring these
17 cases so that the clients have representation and so that the Estate can receive the
18 Debtor's attorneys' fees and costs in an amount that is fixed and certain. The Trustee
19 has also reached out to counsel that took over cases prior to the Trustee's appointment
20 to protect the Estate's rights to assert a quantum meruit claim for its fees and costs. This
21 result would be a vast improvement from what would otherwise be undefined quantum
22 meruit claims, if any. However, in cases where the clients have elected to choose new
23 counsel, the Trustee has filed notices of lien to preserve the Estate's quantum meruit
24 claims.

25 To realize the value of the Debtor's interests in its attorneys' fees and costs, the
26 Trustee needs cash to fund the transition of the Debtor's cases and to provide
27 information to her team asserting and negotiating the recovery of the fees and costs. The
28 Trustee also requires cash to return case files to clients – not a simple task. Specifically,

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1 the Trustee needs to be able to continue accessing the physical files and electronic
2 databases that house the Debtor's case files and needs uninterrupted utilities at the
3 Debtor's office. The Trustee also needs the assistance of professionals, para-
4 professionals and former employees to preserve these case files by helping locate case
5 lists, files and cost ledgers (or help find the documents necessary to prepare the cost
6 ledgers). Without these basic and necessary expenditures, the Trustee will not have
7 access to the Debtor's case files and may not be able to effectively transition the Debtor's
8 cases or ascertain the Debtor's fees and costs. If transitions fail to occur, the Trustee
9 may not able to collect any fees and costs for the Estate. The Trustee's goal is to obtain
10 a recovery for the Estate that exceeds the quantum meruit value of the Debtor's interest
11 in its fees. At a minimum, access to cash collateral will preserve the Estate's value by
12 preserving the Debtor's records that support its quantum meruit and cost claims. As
13 noted earlier, the Trustee has continued to file and negotiate notices of liens to preserve
14 the Debtor's quantum meruit claims. This preservation of value of the Debtor's quantum
15 meruit and cost claims adequately protects the secured creditors.

16 The Trustee continues to use cash collateral to enhance the value of the Estate
17 and to position the Estate to recover more value. Specifically, the Trustee has filed
18 notices of lien in certain of the Debtor's pending cases so that the Estate can receive the
19 quantum meruit value for the Debtor's services. Further, the Trustee has started her
20 forensic accounting analysis, in an effort to locate further assets of the Debtor and
21 investigate whether any funds were wrongfully dissipated. These actions will allow the
22 Trustee to eventually realize value for the Estate. The Trustee's work to maximize value
23 for the Estate has been funded by cash collateral, and the enhanced value of the Estate
24 will provide the secured creditors with adequate protection.⁶

25
26
27 ⁶ The Trustee's access to cash collateral has also allowed the Trustee to be able to disburse funds
28 to the Debtor's clients. As of April 2021, the Trustee had already disbursed or caused to be disbursed
more than \$26 million to clients. The Trustee's efforts to ensure that these funds are disbursed to clients is
ongoing. See Docket No. 304.

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1 The Trustee's proposed Budget poses no threat to any secured creditor's
2 collateral. The Budget seeks approval for expenditures that are absolutely necessary to
3 protect and enhance the Estate—nothing more. In the past, the Trustee has remained
4 well-within her proposed budgets. Currently, the Trustee's expenditures for the current
5 cash collateral period are projected to remain within the budget again. The Trustee's
6 proven track record for managing cash collateral carefully will not change, and the
7 Trustee remains committed to conserving cash collateral and spending only when
8 necessary. Here, the Trustee's Budget is similarly cautious, and will not result in rapid
9 diminishment in cash collateral. In short, the Trustee's proposed expenditures only serve
10 to enhance and preserve the Estate's value.

11 CAL II's interest in cash collateral is clearly adequately protected. As discussed
12 earlier, CAL II is adequately protected because the Trustee's use of cash collateral will
13 both preserve and enhance the Estate. The enhancement of CAL II's collateral is not
14 speculative. CAL II has received more than \$4.1 million in payments from the Trustee in
15 less than a year. The payments to CAL II would not have been possible without the
16 Trustee's access to cash collateral. Moreover, CAL II is adequately protected by a
17 sufficient equity cushion. The Estate currently has approximately \$4.6 million in cash on
18 hand. When accounting for the approximately \$725,000 CAL II has received from the
19 bankruptcy estate of Thomas Girardi in addition to the \$4.1 million received from this
20 Estate, CAL II has received more than \$4.8 million (constituting approximately 74% of its
21 claim) in less than a year, and is owed approximately \$1,677,625.65. The cash on hand
22 in the Estate is more than *double* what CAL II is owed. This equity cushion clearly
23 provides CAL II with adequate protection. See *Mellor*, 734 F.2d at 1402 (holding that an
24 equity cushion of 20% constitutes adequate protection). Moreover, CAL II's collateral will
25 not dissipate quickly, if at all. The Trustee has remained within her authorized budget,
26 while still managing to disburse more than \$4.1 million to CAL II. Finally, CAL II is
27 adequately protected no differently than the other creditors asserting secured claims, as
28

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1 the Trustee's proposed order will provide CAL II with the same benefits provided in this
2 Motion.

3 In sum, access to cash collateral will provide the Trustee with more funding to
4 transition cases and preserve value for the Estate. Cash collateral will give the Trustee
5 the ability to enter into similar compromises and agreements that may further enhance
6 the Estate's value. As made clear in the Budget, the Trustee is seeking funding only for
7 what is absolutely necessary. The Budget is straightforward and designed to allow the
8 Trustee to preserve and enhance the value of the alleged secured creditors' collateral.
9 Because the use of cash collateral will preserve and potentially enhance the value of the
10 secured creditors' collateral, the secured creditors are adequately protected.
11 Accordingly, the Court should authorize the Trustee to use cash collateral.

12 **IV. CONCLUSION**

13 For the foregoing reasons, the Trustee requests that the Court enter an order:

- 14 1. Granting the Motion;
- 15 2. Authorizing the use of cash collateral pursuant to FRBP 4001(b) in
16 accordance with the Budget attached hereto as Exhibit "1" through June 30, 2022, with
17 expenditures not to exceed 115% of the aggregate "High" expenditures in the Budget (i.e.
18 a 15% variance);
- 19 3. Providing all alleged secured creditors with the adequate protection and
20 other applicable benefits set forth in this Motion; and
- 21 4. Granting such other and further relief as the Court deems just and proper.

22
23 DATED: November 23, 2021

Respectfully submitted,

SMILEY WANG-EKVALL, LLP

24
25
26 By: /s/ Philip E. Strok

27 PHILIP E. STROK

28 Attorneys for Elissa D. Miller, Chapter 7
Trustee

EXHIBIT 2

Claims Summary

[2:20-bk-21022-BR Girardi Keese](#)

Type: bk Chapter: 7 Office: 2 (Los Angeles)
Assets: y Judge: BR
Date Filed: 12/18/2020 Last Date to File Claims: Last Date to File (Govt):
Trustee: Elissa Miller (TR)

Claim #	Amount claimed *	Date filed	Creditor number	Creditor name
1 View	\$61000.00	02/18/2021	40662327	Fay Pugh
2 View	\$1557500.00	02/18/2021	40662704	Robert Keese
3 View	\$1261985.34	02/18/2021	40591558	Virginia Antonio
4 View	\$102341.50	02/18/2021	40663145	Dominic Lombardo
5 View	\$757500.00	02/18/2021	40591537	Jill O'Callahan
6 View	\$973967.37	02/18/2021	40591536	Erika Saldana
7 View	\$316940.05	02/18/2021	40591539	Kimberly Archie
8-2 View	\$1637620.00	04/19/2021	40591538	John Abassian
9 View	\$275055.40	02/23/2021	40668175	L. Everett & Associates, LLC
10 View	\$3467.00	02/23/2021	40669016	Gayle C. Kurosu
11 View	\$22000.00	02/25/2021	40672018	DK Global, Inc.
12 View	\$163134.41	02/26/2021	40674201	US Legal Support
13 View	\$14344.00	02/26/2021	40674220	Marlatt Consulting
14 View	\$333731.25	02/26/2021	40674358	CT3Media, Inc. Chet Thompson
15 View	\$4133.33	02/26/2021	40675963	Sammy Y. Hsu
16 View	\$45352.00	02/23/2021	40679143	Express Network LLC
17-2 View	\$882004.65	09/09/2021	40681405	Wells Fargo Vendor Financial Services, LLC
18 View	\$1182.00	03/02/2021	40689097	Peterson & Associates Court Reporting, Inc.
19 View	\$5000.00	03/16/2021	40699158	29039 Gladiolus Dr.
20 View	\$156891.30	03/16/2021	40702756	Cigna Health and Life Insurance Company.
21-3 View	\$150000.00	04/13/2021	40706924	David R. Lira
22 View	\$29000.00	03/19/2021	40713979	Michael Vislosky
23 View	\$11747245.95	03/26/2021	40714206	Jaime Ruigomez
24 View	\$11747245.95	03/26/2021	40714208	Joseph Ruigomez
25 View	\$11747245.95	03/26/2021	40714209	Kathleen Ruigomez
26 View	\$100000.00	03/31/2021	40722980	Bedford Law Group, APC
27 View	\$2241274.00	04/05/2021	40729684	L.A. Arena Funding, LLC
28 View	\$3000.00	04/06/2021	40730836	Eric Lindvall, DO
29 View	\$18000.00	04/09/2021	40735704	Noel Montes
30-2 View	\$744650.00	11/17/2021	40949371	Christina Fulton
31 View	\$352000.00	04/19/2021	40748271	Manuel H. Miller
32 View	\$1777483.30	04/19/2021	40748306	Kathleen L. Bajgrowicz
33 View	\$8825.24	04/20/2021	40749491	Pitney Bowes Inc
34 View	\$194243.11	04/20/2021	40749563	Baker, Keener & Nabra, LLP
35 View	\$41477.00	04/20/2021	40749583	Rest Your Case Evidence Storage LLC
36-2 View	\$184144.55	02/18/2022	40749657	Judy Selberg
37-2 View	\$1000000.00	02/18/2022	40749657	Judy Selberg
38 View	\$18710.61	04/21/2021	40751832	Simba Capital Inc. Robert Cohan
39 View	\$21757.26	04/27/2021	40758488	Esquire Deposition Solutions, LLC.
40 View	\$4614.10	04/28/2021	40761186	Pitney Bowes Global Financial Services LLC
41 View	\$8372.51	04/28/2021	40761186	Pitney Bowes Global Financial Services LLC
42 View	\$179685.00	04/29/2021	40763219	Dalton & Associates
43 View	\$57892.28	05/06/2021	40775441	American Express Travel Related Services Company,
44 View	\$12500.00	05/09/2021	40778503	Matthew Jones
45 View	\$50000.00	05/25/2021	40798130	Amy Fisch Solomon
46 View	\$25000000.00	05/26/2021	40802329	Owen, Patterson & Owen
47 View	\$135000.00	05/28/2021	40806089	JOSEFINA CASTILLO-HERNANDEZ
48 View	\$50000.00	05/29/2021	40811052	Shane Jeter

Claim #		Amount claimed *	Date filed	Creditor number	Creditor name
49	View	\$1500000.00	05/30/2021	40811480	Michael hambright
50	View	\$50000.00	05/30/2021	40811481	Cody Thompson
51	View	\$63440.00	05/31/2021	40811908	gerald.j.jacquart and lisa m jacquart
52	View	\$7946.48	06/02/2021	40813680	Johnson Controls Security Solutions
53	View	\$40000.00	06/01/2021	40814401	Kimberly Anne Coleman
54	View	\$12500.00	06/03/2021	40814735	Brian Garrett
55	View	\$25000.00	06/03/2021	40815451	Joshua Remnant
56	View	\$163750.00	06/04/2021	40816509	KABC-AM Radio, Inc.
57	View	\$13500.00	06/04/2021	40816783	Professional Recruiters Inc.
58	View	\$13500.00	06/04/2021	40816794	The Law Business Insider Radio Show
59	View	\$12500.00	06/06/2021	40818272	Brandon Stokes
60	View	\$12500.00	06/07/2021	40819582	Henry Andrew Perez Betancur
61	View	\$900000.00	06/08/2021	40820566	Law Offices of Philip R. Sheldon, APC
62	View	\$900000.00	06/08/2021	40820566	Law Offices of Philip R. Sheldon, APC
63	View	\$3940000.00	06/08/2021	40820603	Law Offices of Robert P. Finn
64	View	\$25000.00	06/10/2021	40822550	SHANE MORGAN
65	View	\$25000.00	06/11/2021	40824054	Christian Petty
66	View	\$0.00	06/15/2021	40826736	rachael davis
67	View	\$12500.00	06/14/2021	40829455	Nickalas Maurice Wilson
68	View	\$30818.56	06/17/2021	40830413	Daimler Trust
69	View	\$3440.57	06/17/2021	40830588	Golkow Litigation Services, LLC
70	View	\$4281638.89	06/22/2021	40838107	Nano Banc
71	View	\$6668484.21	06/22/2021	40838922	California Attorney Lending II, Inc.
72	View	\$8698610.03	06/22/2021	40838941	Counsel Financial Services LLC, Disbursing Agent
73	View	\$7888356.16	06/23/2021	40839758	KCC Class Action Services, LLC
74	View		06/23/2021	40840588	Vititoe Law Group
75	View	\$7456773.04	06/23/2021	40840909	Stillwell Madison
76	View	\$2425.38	06/23/2021	40841018	Ronnell Taylor on the behalf of Sadie Taylor
77	View	\$11302622.87	06/23/2021	40841132	Virage SPV I, LLC
78	View	\$0.00	06/24/2021	40841773	Peter Anakaraonye
79	View	\$0.00	06/24/2021	40841836	Daymond Walton
80	View	\$12400.00	06/24/2021	40841840	JAMS, INC.
81	View	\$25000.00	06/25/2021	40842851	Jordan DeWanz- Titus
82	View	\$12500.00	06/25/2021	40843550	Devin Lynn Scott
83	View	\$5000.00	06/27/2021	40841773	Peter Anakaraonye
84	View	\$50000.00	06/27/2021	40845034	Hakeem Daul Shacquil Danley (hobson)
85	View	\$10000.00	06/28/2021	40845099	Jared W. Baptista
86	View	\$12500.00	06/28/2021	40845606	Jehoshaphat Shambee
87	View	\$14635.25	06/28/2021	40846659	DJK Counsel, Ltd.
88	View	\$10000.00	06/30/2021	40849082	John Edward Tillson IV
89	View	\$4823.49	07/06/2021	40858675	Atkinson-Baker, Inc.
90	View	\$289548.61	07/12/2021	40863884	Department of Health Care Services
91	View	\$2063292.00	07/19/2021	40870589	Edelson PC
92	View	\$12500.00	07/20/2021	40871921	Israel I Cassaro
93	View		07/21/2021	40873054	COHEN & COHEN, LLP
94	View	\$25000.00	07/21/2021	40873342	Brian Armstead
95	View	\$25000.00	07/23/2021	40875342	Micah S Beal
96	View	\$50000.00	07/19/2021	40879820	Thomas A. Schrandt
97	View	\$9660.00	07/29/2021	40841840	JAMS, INC.
98	View	\$400.00	08/20/2021	40908363	crystal fisher
99	View	\$79484.62	08/24/2021	40911160	Alexa Galloway
100	View	\$10000.00	08/31/2021	40920673	Daniel M Hefner
101	View	\$12500.00	09/06/2021	40926798	Zachary Hook
102	View	\$35000.00	09/10/2021	40929881	David M Goodrich Ch 7 Tr for the
103	View	\$29000.00	09/15/2021	40933780	Melvin Rosebud
104	View	\$2031.01	09/16/2021	40935647	Jorge L Lledo
105	View	\$81266.66	09/30/2021	40974081	Holstein, Taylor and Unitt

Claim #		Amount claimed *	Date filed	Creditor number	Creditor name
106	View	\$100000.00	10/04/2021	40977309	Steiner & Libo, Professional Corporation
107	View	\$2600.00	08/02/2021	40959707	Matthew Tilley
108	View	\$25000.00	08/30/2021	40977919	City of Torrance
109	View	\$30000.00	09/03/2021	40977920	Robert Yrigoyen
110	View	\$77275.00	10/04/2021	40977921	Jones, Roach & Caringella, Inc.
111	View	\$600000.00	10/11/2021	40983966	Lozel Tarver
112	View	\$12500.00	10/11/2021	40950697	David Navarro
113	View	\$2772.00	10/14/2021	40952671	File And Servexpress Llc
114	View	\$0.00	10/14/2021	40962217	Queen Medley
115	View	\$99941.67	10/18/2021	40990087	Bernard Fernandez
116	View	\$0.00	10/18/2021	40949389	Christine Fernandez
117	View	\$39964.90	10/18/2021	40949419	Christopher Fernandez
118	View		10/19/2021	40946755	Andreta Mcelrath
119	View	\$250000.00	10/19/2021	40991454	Michael J Alleyne
120	View	\$1000000.00	10/20/2021	40993081	Billy R Brewer
121	View	\$21421.67	10/01/2021	40994387	Life Insurance Company of North America
122	View	\$250000.00	10/21/2021	40994605	Sheila M Marshall
123	View	\$13010.36	10/21/2021	40995434	Huntley-Fenner Advisors, Inc.
124	View	\$18875.06	10/22/2021	40996025	System Supply Stationery
125	View	\$1000000.00	10/21/2021	40956205	Johnny Thompson
126	View	\$1169.10	10/22/2021	40957427	Kusar Legal Services, Inc.
127	View	\$3633.00	10/25/2021	40956241	Jonathan Club
128	View	\$56368.96	10/26/2021	40958522	LOS ANGELES COUNTY TREASURER AND TAX COLLECTOR
129	View	\$74246.82	10/26/2021	40958522	LOS ANGELES COUNTY TREASURER AND TAX COLLECTOR
130	View	\$0.00	10/26/2021	40953334	Georgina Butler
131	View	\$0.00	10/26/2021	40963599	Ronald James Butler
132	View	\$8000.00	10/26/2021	40957673	Lashonna Oliver
133	View	\$0.00	10/26/2021	40999170	Keeya Joiner
134	View	\$400000.00	10/26/2021	40995960	John W Kent
135	View	\$42130.00	10/26/2021	40999186	Thomas Woodcock
136	View	\$250000.00	10/26/2021	40956596	Juanita Harris
137	View	\$250000.00	10/26/2021	40961233	Ora Joseph Dickson
138	View	\$250000.00	10/26/2021	40999190	Vivian C Hampton
139	View	\$250000.00	10/26/2021	40999191	Kay Smith
140	View	\$8140.65	10/26/2021	40999192	Precise Professional Services
141	View	\$250000.00	10/26/2021	40999193	Edith Mae Strong
142	View	\$0.00	10/26/2021	40999202	Ray Butler
143	View	\$250000.00	10/26/2021	40999203	Jennifer Arnett Strong
144	View	\$250000.00	11/01/2021	41007049	Annie L. Dennis
145	View	\$250000.00	11/01/2021	40958364	Liz Hill
146	View	\$250000.00	11/01/2021	41007057	CJ Hill
147	View	\$0.00	11/05/2021	40960701	Natasha Franklin
148	View	\$8000.00	11/01/2021	40957673	Lashonna Oliver
149	View	\$12750.00	11/07/2021	40949362	Christian Totten
150	View	\$65000.00	11/23/2021	40950594	David Carpenter
151	View	\$512000.00	12/03/2021	41035653	Richard Landingham
152	View	\$0.00	12/08/2021	41037850	4477 Ruby Rd
153	View	\$0.00	12/08/2021	40962201	Q F
154	View	\$206830.00	12/13/2021	41042487	MDA Financial Solutions
155	View	\$111516.00	12/13/2021	41042475	Rajan M Patel MD
156	View		12/07/2021	40956240	Jonathan Chapel
157	View	\$8263.59	12/01/2021	41042833	RPC Property Tax Advisors LLC
158	View	\$2767.57	12/15/2021	41043849	FedEx Corporate Services, Inc
159	View	\$5800.00	12/15/2021	41044466	Ronnie M. Williams
160	View	\$485547.87	12/17/2021	41046305	Department of Health Care Services
161	View	\$51631.17	01/05/2022	41049264	INTERNAL REVENUE SERVICE
162	View	\$169096.95	01/19/2022	41070413	Bulkley, Richardson and Gelinas, LLP

Claim #		Amount claimed *	Date filed	Creditor number	Creditor name
163	View	\$14491.37	01/19/2022	41070839	Regina Torrez
164	View	\$11243.27	01/19/2022	41070847	Armando Torrez
165	View	\$2340.63	01/19/2022	41070860	Bryan Zachary Torrez
166	View	\$2998.25	01/19/2022	41070881	Jake Alexander Torrez
167	View	\$2998.25	01/19/2022	41070903	Christopher Torrez
168	View	\$2000000.00	01/19/2022	41071075	JAMES DEVITT
169	View	\$68623.35	01/19/2022	40946280	Alejandro Martinez
170	View	\$68623.35	01/19/2022	40946280	Alejandro Martinez
171	View	\$35643.27	01/19/2022	40962454	Ramona Martinez
172	View	\$35643.27	01/19/2022	40946996	Anthony Martinez
173	View	\$35643.27	01/19/2022	40946297	Alex Martinez
174	View	\$11243.27	01/20/2022	40961814	Pete Rodriguez
175	View	\$12242.69	01/20/2022	40955587	Jenny Rodriguez
176	View	\$11243.27	01/20/2022	40961814	Pete Rodriguez
177	View	\$95170107.00	01/20/2022	41071557	Abir Cohen Treyzon Salo, LLP
178	View	\$11114000.00	01/20/2022	41071844	1126 Wilshire Partnership
179	View	\$3270604.02	01/20/2022	41071845	Robert W Finnerty
180	View	\$3602.27	01/21/2022	41072166	Cintas Corporation
181	View		01/21/2022	41073147	Erika Girardi

Total Number of Claims: 181

LIVE DATABASE

LIVE DATABASE

Total Amount Claimed *	\$253028907.38
Total Amount Allowed *	

* Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

	Claimed	Allowed
Secured	\$59403967.09	
Priority	\$108572.59	
Administrative		

LIVE DATABASE

LIVE DATABASE

PACER Service Center			
Transaction Receipt			
03/01/2022 19:47:33			
PACER Login:	Lewlandau	Client Code:	Virage
Description:	Claims Summary	Search Criteria:	2:20-bk-21022-BR Filed or Entered From: 2/9/2019 Filed or Entered To: 1/1/2023
Billable Pages:	5	Cost:	0.50

LIVE DATA

LIVE DATABASE

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

22287 Mulholland Hwy., # 318
Calabasas, CA 91302

A true and correct copy of the foregoing document entitled (*specify*):
OPPOSITION AND REQUEST FOR HEARING RE TRUSTEE'S APPLICATION TO EMPLOY SPECIAL LITIGATION
COUNSEL

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 03/01/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

03/01/2022 Lewis R. Landau /s/ Lewis R. Landau
Date *Printed Name* *Signature*

NEF Service List:

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